

**RESOLUTION NO. 2020-67**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, PROVIDING FOR THE UNIFORM METHOD OF LEVYING, COLLECTING AND ENFORCING NON-AD VALOREM ASSESSMENTS FOR SOLID WASTE FEES IN ACCORDANCE WITH THE PROVISIONS OF SECTION 197.3632, F.S. THROUGHOUT THE INCORPORATED AREA OF THE VILLAGE; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Key Biscayne (“Village”) is authorized to impose fees for the collection of solid waste and the provision of recycling services as set forth in Chapter 2, Section 2-61, et seq., of the Village’s Code of Ordinances (the “Code”); and

**WHEREAS**, Section 197.3632, Florida Statutes establishes a uniform method for the levy, collection and enforcement of non-ad valorem assessments (the “Uniform Method”); and

**WHEREAS**, Section 197.3632, Florida Statutes, authorizes the Village to elect to utilize the Uniform Method; and

**WHEREAS**, the Village Council desires to use the Uniform Method for the purpose of collecting solid waste and recycling fees; and

**WHEREAS**, prior to the adoption of this Resolution, the Village Council advertised and conducted a public hearing, as shown on the advertisement and proof of publication attached hereto and incorporated herein as Exhibits “A” and “B,” respectively; and

**WHEREAS**, pursuant to Section 197.3632, Florida Statutes, the legal description of the properties which may be subject to the levy of non-ad valorem assessments is attached hereto and incorporated herein as Exhibit “C;” and

**WHEREAS**, the Village Council finds that this Resolution is in the best interest and welfare of the residents of the Village.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:**

**Section 1.**     **Recitals.** That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.


**Section 2.**     **Intent.** Commencing with the 2022 Fiscal Year, concluding September 30, 2022, the Village of Key Biscayne intends to use the uniform method of collecting non-ad valorem assessments as authorized by Section 197.3632, Florida Statutes, as amended from time to time, for solid waste and recycling fees. Such non-ad valorem assessments will be levied within the incorporated area of the Village, as described in Section 1.03 of the Village Charter. A legal description and a map of the area which may be subject to the non-ad valorem assessment is attached hereto and incorporated herein as Exhibits “C” and “D,” respectively. The non-ad valorem assessments and the Village’s use of the uniform method of collecting its non-ad valorem assessments may continue for more than one year.

**Section 3.**     **Authorization.** That the Village Council hereby authorizes the Village Manager to implement the intent and purpose of this Resolution by, including but not limited to, notifying the Miami-Dade County Property Appraiser’s office, the Tax Collector and the Department of Revenue for the State of Florida of the Village’s intent to collect solid waste fees by using the uniform method of collection and entering into a written agreement with the Property Appraiser and Tax Collector for this purpose, subject to the approval of the Village Attorney as to form, content, and legal sufficiency.

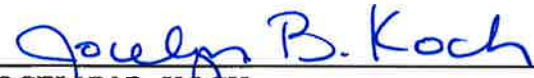
**Section 4.**     **Direction to Village Clerk.** The Village Clerk is hereby directed to send certified copies of this Resolution to the Miami-Dade County Property Appraiser, Miami-Dade County Tax Collector, and the Florida Department of Revenue.

**Section 5.** **Effective Date.** That this Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this 8<sup>th</sup> day of December, 2020.

  
\_\_\_\_\_  
MICHAEL W. DAVEY, MAYOR

ATTEST:

  
\_\_\_\_\_  
JOCELYN B. KOCH  
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.  
VILLAGE ATTORNEY

**EXHIBIT A**

**COPY OF**

**NOTICE BY THE VILLAGE OF KEY BISCAYNE  
OF INTENT TO USE THE UNIFORM AD VALOREM  
METHOD OF COLLECTION OF A  
NON-AD VALOREM ASSESSMENT**

# Buffalo diocese is accused of yearslong cover-up of sexual abuse

BY LIAM STACK  
The New York Times

The New York attorney general, Letitia James, on Monday accused the Roman Catholic Diocese of Buffalo and three bishops connected to it of engaging in a yearslong cover-up of sexual abuse by priests in violation of church policy and state law.

The lawsuit is the first state legal action against the Catholic Church in New York since a new wave of abuse investigations began in 2018, and it is the culmination of just one of eight inquiries, one for each Catholic diocese in the state. The other seven inquiries are ongoing and

could yield further lawsuits.

The lawsuit represents what prosecutors believe is a novel legal strategy: The state will attempt to use civil laws, in particular those governing religious charities and their fiduciaries, to sue a Catholic diocese for failing to follow church policies enacted in 2002 after a series of investigative reports by The Boston Globe thrust the sex-abuse scandal into public view.

It also might raise questions about religious liberty. In addition to restitution and changes in the way the diocese handles sexual-abuse claims, the lawsuit seeks to ban two bishops from management roles in any charitable organization



DAVID DUREK AP Photo/2020

A civil lawsuit alleges that former Bishop Richard Malone and others used bureaucratic maneuvers to shelter more than two dozen priests accused of harming children.

— a demand that might draw pushback from those who believe this encroaches into church autonomy.

The attorney general said her office's investigation found that the diocese and its two former top leaders, Bishop Richard J. Malone and Auxiliary Bishop Edward M. Goss, used bureaucratic maneuvers to shelter more than two dozen priests accused of harming children.

James said in a statement that the prosecution aimed to right both a breach of trust and "a crisis of faith."

"For years, the Diocese of Buffalo and its leadership failed to protect children from sexual abuse," she said. "Instead, they chose to protect the very priests who were credibly accused of these atrocious acts. Individuals who are victims of abuse de-

serve to have their claims justly and timely investigated and determined, and the Buffalo Diocese refused to give them that chance."

Greg Tucker, a spokesperson for the diocese, said it was reviewing the lawsuit and was committed to working with the civil authorities to investigate "alleged crimes and complaints."

"In the meantime, we wish to reiterate that there is zero tolerance for sexual abuse of a minor or of sexual harassment of an adult in the Diocese of Buffalo by any member of the clergy, employee or volunteer," he said. "The diocese has in place rigorous policies and protocols governing required behavior as well as a code of conduct which all clergy are expected to abide by."

# Champion Ken Jennings will be first interim 'Jeopardy!' host

Associated Press

NEW YORK — "Jeopardy!" record-holder Ken Jennings will be the first in a series of interim hosts replacing Alex Trebek when the show resumes production next Monday.

Producers announced Monday that Jennings, who won 74 games in a row and claimed the show's "Greatest of All Time" title in a competition last year, will host episodes that will air in January.

A long-term host to replace Trebek, who died of cancer on Nov. 8, will be named later.

"By bringing in familiar guest hosts for the foreseeable future, our goal is to create a sense of community and continuity for our viewers," the show's executive producer, Mike Richards, said.

The show is in its 37th year of syndication, and Trebek was its only host. It is still airing shows that Trebek filmed before his death.

Art Fleming hosted earlier editions of the game show, including the origi-



ERIC MICHAEL ABE/AP WireImage

Ken Jennings won 74 games in a row on 'Jeopardy!' and claimed the show's 'Greatest of All Time' title in a competition last year. Late host Alex Trebek's final week of shows will air starting on Jan. 4. Jennings' episodes as host begin on Jan. 11.

nal "Jeopardy!", which debuted in 1964 on NBC and aired for a decade.

Richards said "Jeopardy!" will air repeat episodes for the holiday weeks beginning Dec. 21 and 28, meaning Trebek's final week of shows will start Monday, Jan. 4.

Jennings' episodes begin on Jan. 11.

**Happy Thanksgiving**

**We will be closed on**

**Thursday, November 26, 2020**

**for the Thanksgiving holiday.**

**CLASSIFIED DEADLINES:**  
Tuesday at 3:00 PM (WED PUBL); Tuesday at 5:30 PM (THUR PUBL); Wednesday at 3:00 PM (FRI PUBL)

**OBITUARY DEADLINES:**  
Tuesday at 3:30 PM (WED PUBL); Wednesday at 3:30 PM (THUR PUBL); Wednesday at 4:30 PM (FRI PUBL)

**Miami Herald**

**PUBLIC NOTICE**  
**Housing & Commercial Loan Committee Meeting**  
**December 18, 2020, at 9:00 a.m.**

The City of Miami Housing & Commercial Loan Committee (HCLC) will conduct a public meeting at City Hall, Contribution Chambers, 3000 Pan American Drive, Miami, FL 33133 on December 18, 2020, at 9:00 a.m. to discuss items related to general business, policies, and to provide the public an opportunity to comment on funding applications affecting the City's Annual Action Plan for HCLC and other related programs. The proposed amendments and respective descriptions can be found at: [www.miamigov.com/Departments/CommunityDevelopment/HousingCommunityDevelopment/HCLC/HCLC-Public-Hearing-December-18-2020](http://www.miamigov.com/Departments/CommunityDevelopment/HousingCommunityDevelopment/HCLC/HCLC-Public-Hearing-December-18-2020)

Members of the public can have a pre-recorded public comment via phone by calling 305-415-1211 related to scheduled agenda items from November 23, 2020, 9:00 a.m. through December 11, 2020, by 5:00 p.m. Public comments may also be submitted as an e-mail to [publiccomment@miamigov.com](mailto:publiccomment@miamigov.com) for the meeting. Public comments can also be provided during the meeting at City Hall, 3000 Pan American Drive, Miami, Florida, subject to any and all COVID-19 rules, regulations, and procedures. All public comments shall be made part of the public record.

"PLEASE VISIT [www.miamigov.com/Departments/CommunityDevelopment/HousingCommunityDevelopment/HCLC/HCLC-Public-Hearing-December-18-2020](http://www.miamigov.com/Departments/CommunityDevelopment/HousingCommunityDevelopment/HCLC/HCLC-Public-Hearing-December-18-2020) FOR DETAILED INFORMATION AND INSTRUCTIONS ON HOW TO PROVIDE PUBLIC COMMENT DURING ANY OF THE PREVIOUSLY MENTIONED OPTIONS."

At the meeting on December 18, 2020, at 9:00 a.m., the HCLC will discuss items related to general business and policies and provide the public an opportunity to comment on funding applications affecting the City's Annual Action Plan for HCLC and other related programs. The agenda items to be discussed and respective descriptions can be found at: [www.miamigov.com/Departments/CommunityDevelopment/HousingCommunityDevelopment/HCLC/HCLC-Public-Hearing-December-18-2020](http://www.miamigov.com/Departments/CommunityDevelopment/HousingCommunityDevelopment/HCLC/HCLC-Public-Hearing-December-18-2020)

The agenda of the HCLC, related to the proposed amendments, activities of the City Manager to implement the approved City of Miami Annual Action Plan, (Circum Brevity) may be available for public comment and review for a period of no less than 30 days. The review and comment period begins on December 24, 2020, and ends on December 24, 2020. The proposed amendments will be presented to the HCLC for approval on December 18, 2020. Draft copies will be available at the City of Miami, Department of Housing and Community Development (HCLC), located at 14 NE 1st Avenue, 3rd Floor, Miami, FL 33132. Comments to amendments may be submitted to the HCLC address, 14 NE 1st Avenue, 3rd Floor, Miami, FL 33132, and must be received by 5:00 p.m. on December 18, 2020. The meeting site is accessible to the disabled. In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in this proceeding may contact the Department of Housing & Community Development at (305) 305-4150 (Voice) no later than three (3) business days prior to the proceeding. TTY users may call 311 (Florida Relay Service) no later than three (3) business days prior to the proceeding.

## NOTICE BY THE VILLAGE OF KEY BISCAIYNE OF INTENT TO USE THE UNIFORM AD VALOREM METHOD OF COLLECTION OF A NON-AD VALOREM ASSESSMENT

Notice is hereby given to all owners of lands located within the boundaries of the Village of Key Biscayne ("Village") that the Village intends to use the uniform ad valorem method for collecting the non-ad valorem assessments levied by the Village as set forth in Section 197.3632, F.S., and that the Village Council will hold a public hearing on December 8, 2020 at 6:00 p.m. at the Village of Key Biscayne, Council Chamber, located at 560 Crandon Boulevard, Key Biscayne, Florida 33149.

The purpose of the public hearing is to consider the adoption of a Resolution authorizing the Village to use the uniform ad valorem method of collecting non-ad valorem assessments levied by the Village as provided in Section 197.3632, F.S. Copies of the proposed form of Resolution are on file at the office of the Village Clerk, 88 West McIntyre Street, Suite 220, Key Biscayne, Florida 33149.

The Village is considering adopting a non-ad valorem assessment for each year until discontinued, beginning in 2021, for the purpose of collecting solid waste fees and assessments.

This non-ad valorem assessment would be collected for the first time using the uniform ad valorem method of collection, and is currently collected by a direct billing system.

Interested parties may appear at the public hearing to be heard regarding the use of the uniform ad valorem method of collecting such non-ad valorem assessments and/or may submit written comments to the Village Council. Written comments should be received by the Village Clerk on or before December 7, 2020. Any persons desiring to present oral comments should appear at the public hearing.

If any person decides to appeal any decision made with respect to any matter considered at this public hearing, such person will need a record of the proceedings and for such purpose such person may need to ensure that a verbatim record of the proceedings is made at their own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the Americans with Disabilities Act of 1990 and Section 286.26, F.S., persons with disabilities needing special accommodation to participate in such public hearing should contact the Village Clerk, Jocelyn B. Koch, at 305-365-5506 at least forty-eight (48) hours prior to the date of the public hearing.

Dated this: 5<sup>th</sup> day of November, 2020.

Village of Key Biscayne  
By: Jocelyn B. Koch, Village Clerk

PUBLISH: Miami Herald

Publication Dates: November 8, November 15, November 22, November 29

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The Village is considering adopting a non-ad valorem assessment for each year until discontinued, beginning in 2021, for the purpose of collecting stormwater utility fees and assessments.

This non-ad valorem assessment would be collected for the first time using the uniform ad valorem method of collection, and is currently collected on the Miami-Dade Water and Sewer Authority Department bill.

Interested parties may appear at the public hearing to be heard regarding the use of the uniform ad valorem method of collecting such non-ad valorem assessments and/or may submit written comments to the Village Council. Written comments should be received by the Village Clerk on or before December 7, 2020. Any persons desiring to present oral comments should appear at the public hearing.

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Dated this 5<sup>th</sup> day of November, 2020.

Village of Key Biscayne  
By: Jocelyn B. Koch, Village Clerk

PUBLISH: Miami Herald

Publication Dates: November 8, November 15, November 22, November 29

**EXHIBIT B**  
**PROOF OF PUBLICATION**  
**OF**  
**NOTICE BY THE VILLAGE OF KEY BISCAYNE**  
**OF INTENT TO USE THE UNIFORM AD VALOREM**  
**METHOD OF COLLECTION OF A**  
**NON-AD VALOREM ASSESSMENT**

Miami Herald Media Company  
3511 NW 91 Avenue  
Miami, FL 33172

**Miami Herald** **el Nuevo Herald**

## AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO
183620	0004803373-09		

**Attention:**

VILLAGE OF KEY BISCAYNE  
88 W MCINTYRE ST  
KEY BISCAYNE, FL 331491846

**PUBLISHED DAILY  
MIAMI-DADE-FLORIDA**

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE**

Before the undersigned authority personally appeared: **VICTORIA RODELA**, who on oath says that he/she is **CUSTODIAN OF RECORDS** of The Miami Herald, a daily newspaper published at Miami in Miami-Dade County, Florida; that the attached copy of the advertisement that was published was published in said newspaper in the issue(s) of:

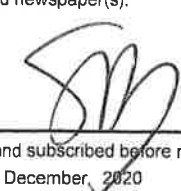
Publication: Miami Herald

Zone: MIA-Full Run

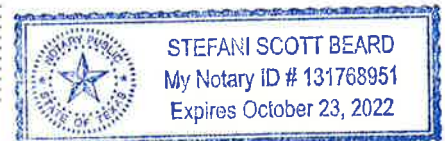
November 29, 2020



Affiant further says that the said Miami Herald is a newspaper published at Miami, in the said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Dade County, Florida each day and has been entered a second class mail matter at the post office in Miami, in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid or promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s).



Sworn to and subscribed before me this  
1st, day of December, 2020



**NOTICE BY THE VILLAGE OF KEY  
BISCAYNE OF INTENT TO USE THE  
UNIFORM AD VALOREM  
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Interested parties may appear at the public hearing to be heard regarding the use of the uniform ad valorem method of collecting such non-ad valorem assessments and/or may submit written comments to the Village Council. Written comments should be received by the Village Clerk on or before December 7, 2020. Any persons desiring to present oral comments should appear at the public hearing.

If any person decides to appeal any decision made with respect to any matter considered at this public hearing, such person will need a record of the proceedings and for such purpose such person may need to ensure that a verbatim record of the proceedings is made at their own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the Americans with Disabilities Act of 1990 and Section 286.26, F.S., persons with disabilities needing special accommodation to participate in such public hearing should contact the Village Clerk, Jocelyn B. Koch, at 305-365-5506 at least forty-eight (48) hours prior to the date of the public hearing.

Dated this: 5<sup>th</sup> day of November, 2020.

Village of Key Biscayne  
By: Jocelyn B. Koch, Village Clerk

PUBLISH: Miami Herald

Publication Dates: November 8, November 15, November 22, November 29



## **EXHIBIT C**

### **LEGAL DESCRIPTION OF AREAS SUBJECT TO ASSESSMENT**

The Village's corporate boundary as set forth in Section 1.03 of the Village Charter, to wit:

BEGIN at the point of intersection of the West line of Crandon Boulevard with the South line of Crandon Park, said point of intersection also being the Northeast corner of Tract 1 of SUBDIVISION OF A PORTION OF MATHESON ESTATE, KEY BISCAYNE, DADE COUNTY, FLORIDA, according to the plat thereof recorded in Plat Book 46 at Page 86 of the Public Records of Dade County, Florida; thence run Westerly along said South line of Crandon Park, also being the North line of said Tract 1 and its Westerly extension to a point in the waters of Biscayne Bay, said point being 1,200 feet Westerly of the most Northwesterly corner of Tract B of FOURTH ADDITION TO TROPICAL ISLE HOMES SUBDIVISION, according to the plat thereof recorded in Plat Book 53 at Page 39 of the Public Records of Dade County, Florida; thence run Southwesterly, to a point in the waters of Biscayne Bay, said point being the point of intersection with the Southwesterly extension of the Southeasterly line of Lot 7 in Block 1 of MASHTA POINT SUBDIVISION, according to the plat thereof recorded in Plat Book 131 at Page 37 of the Public Records of Dade County, Florida, said point of intersection being 1,000 feet Southwesterly of the most Southeasterly corner of said Lot 7, as measured along the Southwesterly extension of the Southeasterly line of said Lot 7; thence run Southeasterly to a point in the waters of Biscayne Bay, said point being the point of intersection of the Southwesterly extension of the Southeasterly line of Lot 17 of SMUGGLERS COVE, according to the plat thereof recorded in Plat Book 78 at Page 83 of the Public Records of Dade County, Florida, with the Westerly extension of the South line of the Waterway shown on the plat of CANOGA PROPERTIES—KEY BISCAYNE, FLORIDA, according to the plat thereof recorded in Plat Book 65 at Page 88 of the Public Records of Dade County, Florida; thence run Easterly, along the South line of said Waterway and its Westerly and Easterly extensions to a point in the Atlantic Ocean, 500 feet Easterly of the Erosion Control Line, as said Erosion Control Line is shown on the plat thereof recorded in Plat Book 74 at Page 26 of the Public Records of Dade County, Florida; thence run Northerly along a line 500 feet Easterly of and parallel to the said Erosion Control Line to the point of intersection with the Easterly extension of the said South line of Crandon Park; thence run Westerly along the said South line of Crandon Park and its Easterly extension to the Point of Beginning;

AND

BEGIN at the point of intersection of said South line of Crandon Park with the centerline of Crandon Boulevard, said centerline of Crandon Boulevard being the centerline of Tract 10 of said plat of SUBDIVISION OF A PORTION OF MATHESON ESTATE, KEY BISCAYNE, DADE COUNTY, FLORIDA, and its Northeasterly extension; thence run Westerly along the South Line of Crandon Park for a distance of 400 feet; thence run Northerly at right angles to the South line of Crandon Park for a distance of 700 feet; thence run Easterly parallel with the South Line of Crandon Park for a distance of 750 feet more or less to said centerline of Crandon Boulevard; thence run Southwesterly along said centerline of Crandon Boulevard for a distance of 783 feet more or less to the South boundary of Crandon Park and to the POINT OF BEGINNING.

## EXHIBIT D

### MAP OF AREAS SUBJECT TO ASSESSMENT

